(24)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Second Appeal No. 163/2007

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Appellant
Plaintiff

Chakravarty, Son of Ram Badan Pandey, aged about 78 years, Occupation Agriculture, Resident of Village Thadpathar, Police Station Biharpur (Chandni), Tahsil Surajpur, District Surguja (C.G.)

VERSUS

Respondent :
Defendant

State of Chhattisgarh, Through : The Collector, Surguja Ambikapur (C.G.)

Second Appeal under Section 100 of the Code of Civil Procedure, 1908

Present:-
Shri Ashok Kumar Shukla, counsel for the appellant.
Shri Akhil Agrawal, Panel Lawyer for the State/respondent.

ORAL ORDER
(Passed on this 7th day of May, 2007)

Heard on admission.

2. The appellant is aggrieved by the judgment and decree dated 2.2.2007 in Civil Appeal No. 58-A/2005 by IInd Additional District Judge, Fast Track Court, Surajpur, District Surguja affirming the judgment and decree dated 18.03.2005 passed in Civil Suit No. 14-A/2003 by Civil Judge, Class-II, Surajpur whereby the plaintiffs' suit for declaration of title over the suit land was dismissed.

3. Brief facts are that the appellant/plaintiff was a landless person. In violation of the Rules, a patta was granted to the plaintiff over the suit land which was cancelled by the Collector, Surguja on 7.1.2003 in exercise of his revisional jurisdiction. Both the Courts below on proper appreciation of evidence and the material on record, recorded a finding that the appellant herein was not entitled to the relief sought.

(25)

4. I am of the considered opinion, no substantial question of law is involved in this appeal which is accordingly dismissed at the stage of admission.

5. In view of above, I.A. No. 1 which is an application under Order 39 Rule 1 & 2 of C.P.C. also stands dismissed.

No order as to costs.

Sd/-
Dilip Raosaheb Deshmukh
Judge

[redacted]

[redacted]